



210,5 JFW  
2

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q92303

Susumu WATANUKI, et al.

Appln. No.: 10/562,128

Group Art Unit: Not yet assigned

Confirmation No.: 5572

Examiner: Not yet assigned

Filed: December 23, 2005

For: QUINOLONE DERIVATIVE OR SALT THEREOF

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/562,128

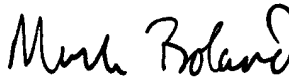
filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of an International Search Report indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Mark Boland  
Registration No. 32,197

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: April 27, 2006

+Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/562,128
Confirmation Number	5572
Filing Date	December 23, 2005
First Named Inventor	Susumu WATANUKI
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	Q92303

Sheet 1 of 2

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 2004/0186131	A1	09/23/2004	Wathen et al.
		US 2003/0060474	A1	03/27/2003	Bryant et al.
		US 2002/0132806	A1	09/19/2002	Ruggeri et al.
		US 2002/0077486	A1	06/20/2002	Scarborough et al.
		US 2004/0147576	A1	07/29/2004	Scarborough et al.
		US 2002/0025961	A1	02/28/2002	Scarborough et al.
		US 2003/0162774	A1	08/28/2003	Scarborough et al.
		US 6,136,823	A	10/24/2000	Sakae et al.
		US 3,943,141		03/09/1976	Ellis et al.

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	2004/019932	A1	03/11/2004		English
		GB	2 372 986	A	09/11/2002		English
		WO	02/098856	A2	12/12/2002		English
		JP	2001-139555	A	05/22/2001		No
		WO	01/57037	A1	08/09/2001		English
		WO	98/23592	A1	06/04/1998		English abstract
		EP	0 945 435	A1	09/29/1999		English
		WO	02/092571	A1	11/21/2002		English
		JP	50-29574	A	03/25/1975		No
		GB	1433774	A	4/28/1976		English
		JP	50-35191	A	04/03/1975		No
		JP	2002-531567	A	09/24/2002		No

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		International Search Report dated October 26, 2004	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.

Substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE</u></b> <b><u>STATEMENT BY APPLICANT</u></b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/562,128
				Confirmation Number	5572
				Filing Date	December 23, 2005
				First Named Inventor	Susumu WATANUKI
				Art Unit	Not yet assigned
Examiner Name	Not yet assigned				
Sheet	2	of	2	Attorney Docket Number	Q92303

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 4,024,255		05/17/1977	Ellis et al.
		US 2003/0144305	A1	07/31/2003	Hardern et al.
		US 2003/0153556	A1	08/14/2003	Levy et al.
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	00/34283	A1	06/15/2000		English
		WO	03/022214	A2	03/20/2003		English

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.